

TUESDAY, APRIL 14, 2015

TWENTY-THIRD LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Matthew Cook, Maynardville Fellowship, Maynardville, TN.

Representative J. Sexton led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 95

Representatives present were Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 95

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Carr; illness

PRESENT IN CHAMBER

Reps. M. Hill and Womick were recorded as being present in the Chamber.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 50 Reps. Johnson and Gravitt as prime sponsors.

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House Resolution No. 54 Reps. Lamberth and Weaver as prime sponsors.

House Joint Resolution No. 314 Reps. Lamberth, Hardaway and Eldridge as prime sponsors.

House Joint Resolution No. 325 Rep. Dunlap as prime sponsor.

House Bill No. 880 Rep. Hardaway as prime sponsor.

House Bill No. 894 Rep. Hardaway as prime sponsor.

House Bill No. 1221 Reps. Hardaway and Parkinson as prime sponsors.

MESSAGE FROM THE SENATE

April 14, 2015

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 104, 268, 269 and 270; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Joint Resolution No. 104** -- Pharmacy, Pharmacists - Urges the bureau of TennCare to incorporate medication therapy management into all of its healthcare delivery systems so as to improve patient outcomes and control costs. by *McNally.

Senate Joint Resolution No. 268 -- Memorials, Interns - Brian Stone. by *Green.

Senate Joint Resolution No. 269 -- Memorials, Retirement - Conley Jones. by *Crowe.

Senate Joint Resolution No. 270 -- Memorials, Retirement - Baylor School Baseball Coach Gene Etter. by *Watson.

SIGNED

April 14, 2015

The Speaker announced that she had signed the following: Senate Joint Resolution No. 289.

JOE MCCORD, Chief Clerk

MESSAGE FROM THE SENATE

April 14, 2015

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 271 and 272; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 271 -- Memorials, Retirement - Pat Halloran. by *Kyle.

Senate Joint Resolution No. 272 -- Memorials, Death - David F. Bautista. by *Crowe.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for April 15, 2015:

House Resolution No. 56 -- Memorials, Interns - Andrew Campbell Jefferies. by *McManus.

House Resolution No. 57 -- Memorials, Recognition - Commends medical professionals at Monroe Carell Jr. Children's Hospital at Vanderbilt. by *Terry.

House Resolution No. 58 -- Memorials, Academic Achievement - Emily Masters, Valedictorian, Grundy County High School. by *Dunlap.

House Resolution No. 59 -- Memorials, Academic Achievement - Jacqueline Isabella Smith, Valedictorian, Warren County High School. by *Dunlap.

House Resolution No. 60 -- Memorials, Academic Achievement - Bailey Barnes, Valedictorian, Warren County High School. by *Dunlap.

House Resolution No. 61 -- Memorials, Academic Achievement - Andrea Elaine Richardson, Valedictorian, White County High School. by *Dunlap.

House Joint Resolution No. 329 -- Memorials, Academic Achievement - Courtney Riggs, High Academic Achiever, Cherokee High School. by *Harrison.

House Joint Resolution No. 330 -- Memorials, Academic Achievement - Hannah Montgomery, High Academic Achiever, Cherokee High School. by *Harrison.

House Joint Resolution No. 331 -- Memorials, Academic Achievement - Madison Price, High Academic Achiever, Cherokee High School. by *Harrison.

House Joint Resolution No. 332 -- Memorials, Academic Achievement - Lisa Murrell, High Academic Achiever, Cherokee High School. by *Harrison.

House Joint Resolution No. 333 -- Memorials, Academic Achievement - Alissa Baker, High Academic Achiever, Cherokee High School. by *Harrison.

House Joint Resolution No. 334 -- Memorials, Personal Occasion - Murlice and Alma Carpenter, 50th wedding anniversary. by *Harrison.

House Joint Resolution No. 335 -- Memorials, Academic Achievement - Christian Ward, Top Ten student, Volunteer High School. by *Harrison.

House Joint Resolution No. 336 -- Memorials, Academic Achievement - Andrew Smith, Top 10 student, Volunteer High School. by *Harrison.

House Joint Resolution No. 337 -- Memorials, Academic Achievement - Zachary Ward, Top 10 student, Volunteer High School. by *Harrison.

House Joint Resolution No. 338 -- Memorials, Academic Achievement - Wyatt Powell, Top 10 student, Volunteer High School. by *Harrison.

House Joint Resolution No. 339 -- Memorials, Academic Achievement - Hunter Cross, Top 10 student, Volunteer High School. by *Harrison.

House Joint Resolution No. 340 -- Memorials, Recognition - Brenda Payne. by *Lamberth.

House Joint Resolution No. 341 -- Memorials, Sports - South Nashville All-Stars Little League, U.S. Little League World Series participants. by *Powell.

House Joint Resolution No. 342 -- Memorials, Academic Achievement - Ava Belew, Salutatorian, Heritage Christian Academy. by *Lynn.

House Joint Resolution No. 343 -- Memorials, Academic Achievement - Jimmy Langford, Salutatorian, Red Boiling Springs High School. by *Keisling.

House Joint Resolution No. 349 -- Memorials, Interns - Hannah Kathleen Benjamin. by *Fitzhugh.

House Joint Resolution No. 344 -- Memorials, Professional Achievement - Bryan Feldman, Principal of the Year. by *Pitts.

House Joint Resolution No. 345 -- Memorials, Academic Achievement - Chelsea Copass, 2015 Valedictorian, Clay County High School. by *Keisling.

House Joint Resolution No. 346 -- Memorials, Death - Reverend Carl Lawson White. by *Swann, *Ramsey.

House Joint Resolution No. 347 -- Memorials, Academic Achievement - Andriona Thomas, Valedictorian, Southwind High School. by *Turner.

House Joint Resolution No. 348 -- Memorials, Academic Achievement - Katelin Williams, Salutatorian, Southwind High School. by *Turner.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar for April 15, 2015:

Senate Joint Resolution No. 268 -- Memorials, Interns - Brian Stone. by *Green.

Senate Joint Resolution No. 269 -- Memorials, Retirement - Conley Jones. by *Crowe.

Senate Joint Resolution No. 270 -- Memorials, Retirement - Baylor School Baseball Coach Gene Etter. by *Watson.

Senate Joint Resolution No. 271 -- Memorials, Retirement - Pat Halloran. by *Kyle.

Senate Joint Resolution No. 272 -- Memorials, Death - David F. Bautista. by *Crowe.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1399 -- Loudon County - As introduced, creates division II court of general sessions; creates position of judge to serve the division; and provides that a person be appointed to serve as judge of division II by the county legislative body until September 1, 2016, or until the judge's successor is elected and qualified. - Amends Chapter 57 of the Private Acts of 1959; as amended. by *Matlock.

House Bill No. 1400 -- Dandridge - As introduced, subject to local approval, transfers responsibility for collecting property taxes from the town recorder to the town administrator; removes bond requirement and salary provisions for town recorder; removes provision requiring the town recorder to maintain certain voting records; and requires ordinances and resolutions be adopted after two readings by the board of mayor and aldermen. - Amends Chapter 419 of the Acts of 1907; as amended and rewritten. by *Farmer.

House Bill No. 1401 -- Trezevant - As introduced, subject to local approval, rewrites town charter. - Amends Chapter 509 of the Private Acts of 1911; as amended and rewritten by Chapter 29 of the Private Acts of 1965. by *Holt.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 1398 -- Newport -- House Local Government Committee

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 14, 2015**, reported the following:

AGRICULTURE AND NATURAL RESOURCES COMMITTEE

The Agriculture and Natural Resources Committee recommended for passage: House Joint Resolution No. 218 and Senate Joint Resolution No. 166. Under the rules, each was transmitted to the Calendar and Rules Committee.

BUSINESS AND UTILITIES COMMITTEE

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The Business and Utilities Committee recommended for passage: House Bill No. 934. Under the rules, each was transmitted to the Calendar and Rules Committee.

CRIMINAL JUSTICE COMMITTEE

The Criminal Justice Committee recommended for passage: House Bills Nos. 519, 196 and 582. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 268 and 410. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

EDUCATION ADMINISTRATION AND PLANNING COMMITTEE

The Education Administration & Planning Committee recommended for passage: Senate Joint Resolution No. 107. Under the rules, each was transmitted to the Calendar and Rules Committee.

EDUCATION INSTRUCTION AND PROGRAMS COMMITTEE

The Education Instruction & Programs Committee recommended for passage: House Joint Resolution No. 203 and Senate Joint Resolutions Nos. 140 and 142. Under the rules, each was transmitted to the Calendar and Rules Committee.

FINANCE, WAYS AND MEANS COMMITTEE

The Finance, Ways & Means Committee recommended for passage: House Bills Nos. 309, 306, 714, 290, 962, 921, 473, 198, 96, 1011, 181, 1276, 1291, 94, 763, 823, 1046, 686, 169, 392, 69, 157, 854, 1079, 1380, 845, 82, 647, 643, 648, 471, 75, 981, 122, 556, 691, 131, 515, 517, 178, 513, 103 and 614, also House Bills Nos. 440, 1035, 606, 644, 225, 992, 1174, 951, 1092, 867 and 1254 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

GOVERNMENT OPERATIONS COMMITTEE

The Government Operations Committee recommended for passage: House Bills Nos. 1036, 147, 593 and 1332, also House Bill No. 368 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 67, 999, 33, 595 and 675, also House Bill No. 138 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

STATE GOVERNMENT COMMITTEE

The State Government Committee recommended for passage: House Bill No. 695, House Joint Resolutions Nos. 271, 180, 231, 248 and Senate Joint Resolutions Nos. 131, 170 and 241. Under the rules, each was transmitted to the Calendar and Rules Committee.

TRANSPORTATION COMMITTEE

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 687. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

DELAYED BILLS REFERRED

April 14, 2015

Pursuant to **Rule No. 77**, Senate Joint Resolution No. 104 was referred to the Delayed Bills Committee.

Senate Joint Resolution No. 104 -- Pharmacy, Pharmacists - Urges the bureau of TennCare to incorporate medication therapy management into all of its healthcare delivery systems so as to improve patient outcomes and control costs. by *McNally

CONSENT CALENDAR

House Resolution No. 47 -- Memorials, Interns - Rachel-Rebekah Brown. by *Sexton C.

House Resolution No. 48 -- Memorials, Interns - Brittany Victoria Cobble. by *Lundberg.

House Resolution No. 49 -- Memorials, Congratulations - Nelson Lundberg, high school graduation. by *Lundberg.

House Resolution No. 50 -- Memorials, Interns - James Maxwell Helms. by *Pitts.

House Resolution No. 51 -- Memorials, Recognition - Andy Adkins. by *Doss.

House Resolution No. 52 -- Memorials, Professional Achievement - Jeffrey Hughes, Association of Government Accountants Emerging Leader Award of Excellence. by *Doss.

House Resolution No. 53 -- Memorials, Recognition - Ivan Johnston. by *Doss.

House Resolution No. 54 -- Memorials, Death - Frank Freels. by *Rogers.

House Resolution No. 55 -- Memorials, Recognition - The "Gospel Advocate," 160th anniversary. by *Harwell, *DeBerry, *Dunlap, *White M, *Butt.

House Joint Resolution No. 296 -- Memorials, Academic Achievement - Kailye Ball, Salutatorian, Cosby High School. by *Faison.

House Joint Resolution No. 297 -- Memorials, Academic Achievement - Michaela Williamson, Valedictorian, Cosby High School. by *Faison.

House Joint Resolution No. 298 -- Memorials, Academic Achievement - Kellie Sueann Thornton, Salutatorian, Cocke County High School. by *Faison.

House Joint Resolution No. 299 -- Memorials, Academic Achievement - Megan Amber Southerland, Top Four student, South Greene High School. by *Faison.

House Joint Resolution No. 300 -- Memorials, Academic Achievement - Maggie Crowell, Valedictorian, Lebanon High School. by *Lynn.

House Joint Resolution No. 301 -- Memorials, Public Service - Randall Ross Nichols. by *Fitzhugh.

House Joint Resolution No. 302 -- Memorials, Academic Achievement - Tyler Green, Valedictorian, Spring Hill High School. by *Butt.

House Joint Resolution No. 303 -- Memorials, Academic Achievement - Megan Garnik, Top Ten Student, Spring Hill High School. by *Butt.

House Joint Resolution No. 304 -- Memorials, Academic Achievement - Jhanna Fields, Top Ten Student, Spring Hill High School. by *Butt.

House Joint Resolution No. 305 -- Memorials, Academic Achievement - Teri Lee Trumitch, Top Ten Student, Spring Hill High School. by *Butt.

House Joint Resolution No. 306 -- Memorials, Academic Achievement - Maddie Graves, Top Ten Student, Spring Hill High School. by *Butt.

House Joint Resolution No. 307 -- Memorials, Academic Achievement - Jordan Pruitt, Top Ten Student, Spring Hill High School. by *Butt.

House Joint Resolution No. 308 -- Memorials, Academic Achievement - Katie Hall, Top Ten Student, Spring Hill High School. by *Butt.

House Joint Resolution No. 309 -- Memorials, Academic Achievement - Michael Mackezyk, Top Ten Student, Spring Hill High School. by *Butt.

House Joint Resolution No. 310 -- Memorials, Academic Achievement - Danielle Calvert, Top Ten Student, Spring Hill High School. by *Butt.

House Joint Resolution No. 311 -- Memorials, Personal Occasion - Joyce Ann Cook Travis. by *Travis.

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House Joint Resolution No. 312 -- Memorials, Recognition - Annie Laura Jennings. by *Fitzhugh.

House Joint Resolution No. 313 -- Memorials, Sports - Haywood High School boys' basketball team, TSSAA Division I Class AA State Champions. by *Fitzhugh.

House Joint Resolution No. 314 -- Memorials, Professional Achievement - Timothy L. Amos, 30 years with the Tennessee Bankers Association. by *Fitzhugh.

House Joint Resolution No. 317 -- Memorials, Academic Achievement - Kaelynn Autumn Stewart, Top Four student, South Greene High School. by *Faison.

House Joint Resolution No. 318 -- Memorials, Academic Achievement - Kaylee Madison Giles, Valedictorian, Cocke County High School. by *Faison.

House Joint Resolution No. 319 -- Memorials, Academic Achievement - Logan Lee Tweed, Top Four student, South Greene High School. by *Faison.

House Joint Resolution No. 320 -- Memorials, Sports - Jake Williams, NAIA wrestling national champion. by *Pody.

House Joint Resolution No. 321 -- Memorials, Academic Achievement - Lynzie Jones, Valedictorian, Red Boiling Springs High School. by *Keisling.

House Joint Resolution No. 322 -- Memorials, Recognition - Jason Allen Price and John Colby Eledge. by *Doss.

House Joint Resolution No. 323 -- Memorials, Recognition - To commemorate "Prader-Willi Syndrome Awareness Month" in Tennessee. by *Calfee.

House Joint Resolution No. 324 -- Memorials, Recognition - Steering committee for establishment of Tennessee Hall of Fame. by *Pitts, *Reedy, *Johnson.

House Joint Resolution No. 325 -- Memorials, Recognition - Viola Church of Christ, 125th anniversary homecoming. by *Matheny.

House Joint Resolution No. 326 -- Memorials, Retirement - Richard Rowe, Sweetwater City School Board. by *Matlock, *Forgety.

House Joint Resolution No. 327 -- Memorials, Public Service - Bennie Moser, Sweetwater City School Board. by *Matlock, *Forgety.

House Joint Resolution No. 328 -- Memorials, Retirement - Letha Oggs, Sweetwater City School Board. by *Matlock, *Forgety.

Senate Joint Resolution No. 289 -- Memorials, Death - Robert Lynn Crosslin. by *Bailey.

Senate Joint Resolution No. 294 -- Memorials, Death - Susan Kaye King Goodman. by *Roberts.

Rep. Lundberg moved that all members voting aye on House Resolution No. 49 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Pody and Ragan.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 98
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 1278** -- Ethics - As introduced, prohibits, effective July 1, 2015, a member of a county or municipal governing body who is also an employee of the county or municipality, or whose immediate family is a county or municipal employee, from voting on any matter in which there is a conflict of interest. - Amends TCA Title 5 and Title 12. by *Butt. (SB1288 by *Hensley)

Rep. Butt moved that House Bill No. 1278 be reset for the next available space on the next available calendar, which motion prevailed.

House Bill No. 894 -- Intellectual & Developmental Disabilities - As introduced, requires the department of intellectual and developmental disabilities to seek approval from the family

support council before making changes to the administration of the family support program. - Amends TCA Title 33, Chapter 5. by *Brooks K, *Clemmons. (*SB307 by *Dickerson)

On motion, House Bill No. 894 was made to conform with **Senate Bill No. 307**; the Senate Bill was substituted for the House Bill.

Rep. K. Brooks moved that Senate Bill No. 307 be passed on third and final consideration.

Rep. C. Sexton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. K. Brooks moved that **Senate Bill No. 307** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 307** and have this statement entered in the Journal: Rep. M. Hill.

REGULAR CALENDAR, CONTINUED

House Bill No. 68 -- Contractors - As introduced, expands types of activities the state board for licensing contractors may penalize; increases the amount of civil penalties that may be levied against contractors; changes evidentiary requirements for obtaining a court order to enforce the board's penalties. - Amends TCA Title 62, Chapter 6. by *McCormick, *Brooks K, *Doss. (*SB78 by *Norris, *Gardenhire)

On motion, House Bill No. 68 was made to conform with **Senate Bill No. 78**; the Senate Bill was substituted for the House Bill.

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Rep. Doss moved that **Senate Bill No. 78** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes 1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Wirgau, Womick, Madam Speaker Harwell -- 95

Representatives voting no were: Windle -- 1

A motion to reconsider was tabled.

***House Bill No. 217** -- Criminal Offenses - As introduced, deletes the requirement of intent to cause bodily injury from aggravated assault involving strangulation or attempted strangulation; alters the definition of strangulation to include recklessly impeding normal breathing or circulation, regardless of whether the conduct results in visible injury or whether the person has intent to kill or protractedly injure the victim. - Amends TCA Section 39-13-102. by *Jones, *Stewart, *Weaver. (SB428 by *Massey, *Ketron, *Dickerson)

Rep. Jones requested that House Bill No. 217 be moved down ten spaces on today's Calendar, which motion prevailed.

***House Bill No. 1005** -- Taxes, Litigation - As introduced, permits Knox County to impose a litigation tax of \$5.00 on all criminal cases upon adoption of a resolution by 2/3 majority of the county legislative body; requires the revenue collected from the litigation tax to be used exclusively for the funding of courts with criminal jurisdiction. - Amends TCA Title 67, Chapter 4, Part 6. by *Haynes, *Brooks H. (SB1109 by *Briggs)

On motion, House Bill No. 1005 was made to conform with **Senate Bill No. 1109**; the Senate Bill was substituted for the House Bill.

Rep. Haynes moved that Senate Bill No. 1109 be passed on third and final consideration.

Rep. Lundberg moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. McCormick moved the previous question, which motion prevailed.

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Rep. Haynes moved that **Senate Bill No. 1109** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 77
Noes 16

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Casada, Clemmons, Coley, Daniel, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Holsclaw, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Swann, Terry, Todd, Towns, Travis, Turner, Weaver, White D., White M., Wilburn, Williams -- 77

Representatives voting no were: Carter, Cooper, Dunlap, Goins, Hill M., Hill T., Holt, Jernigan, Jones, Lundberg, Pody, Stewart, Van Huss, Windle, Wirgau, Womick -- 16

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Parkinson voted "aye" on **Senate Bill No. 1109**.

REGULAR CALENDAR, CONTINUED

***House Bill No. 914** -- Economic and Community Development - As introduced, authorizes industrial development corporations and health, educational, and housing facility corporations created by counties or cities to accept payments in lieu of taxes from lessees of low-income housing projects. - Amends TCA Title 7, Chapter 53; Title 13, Chapter 20 and Title 48, Chapter 101, Part 3. by *Marsh, *Haynes. (SB987 by *Norris)

Rep. Haynes moved that House Bill No. 914 be passed on third and final consideration.

Rep. Marsh moved adoption of Business and Utilities Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 914 by adding the following language as a new subdivision (D) in § 48-101-312(b)(4) in the amendatory language of Section 1:

(D) Nothing in this subdivision (b)(4) shall limit the authority of a corporation to negotiate and receive from a lessee of the corporation payments in lieu of taxes with respect to a tax-credit housing project when that authority has been delegated to the corporation by a municipality.

On motion, Business and Utilities Committee Amendment No. 1 was adopted.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 914 by deleting the effective date section and substituting instead the following:

SECTION _____. This act shall take effect July 1, 2015, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Haynes moved that **House Bill No. 914**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. DeBerry voted "aye" on **House Bill No. 914**.

REGULAR CALENDAR, CONTINUED

House Bill No. 822 -- Taxes, Ad Valorem - As introduced, specifies that a lease of property owned by an airport authority that exceeds 30 years is not subject to local approval; specifies that a lessee under a lease negotiated with an airport authority will not be subject to having the property assessed as if the lessee were the owner; revises other related provisions. - Amends TCA Section 67-5-203. by *Lollar. (*SB741 by *Kelsey)

Rep. Lollar moved that House Bill No. 822 be reset for the next available space on the next available calendar, which motion prevailed.

House Bill No. 73 -- Consumer Protection - As introduced, transfers certain regulatory responsibilities for health clubs, beauty pageants, bonds posted by credit services businesses, and debt-management services to the division of regulatory boards in the department of commerce and insurance. - Amends TCA Title 47. by *McCormick, *Brooks K, *White D. (*SB83 by *Norris, *Roberts)

On motion, House Bill No. 73 was made to conform with **Senate Bill No. 83**; the Senate Bill was substituted for the House Bill.

Rep. D. White moved that Senate Bill No. 83 be passed on third and final consideration.

Rep. Eldridge moved adoption of Consumer and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 83 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 47-18-201, is amended by adding the following as a new, appropriately designated subdivision:

() “Commissioner” means the commissioner of commerce and insurance;

SECTION 2. Tennessee Code Annotated, Section 47-18-202, is amended by deleting the language “division of consumer affairs in the department of commerce and insurance”, the language “division of consumer affairs”, and the language “division” wherever that language appears in subsections (a)–(c) and substituting instead the word “commissioner”.

SECTION 3. Tennessee Code Annotated, Section 47-18-202(b)(1), is amended by deleting the subdivision and substituting instead the following:

(b)

(1) Except as provided in subsection (d), each operator shall, at the time of registration, file and have approved by the commissioner, a bond in which the candidate for registration shall be the principal obligor in an amount as determined by the commissioner; provided, however, that if no amount has been set by rule, then the amount of the bond shall be ten thousand dollars (\$10,000).

SECTION 4. Tennessee Code Annotated, Section 47-18-202(c)(1), is amended by deleting the subdivision and substituting instead the following language:

(c)

(1) Except as provided in subsection (d), each operator shall, at the time of registration, submit a nonrefundable registration fee in an amount set by the commissioner; provided, however, that if no amount has been set by rule, then the registration fee shall be fifty dollars (\$50.00).

SECTION 5. Tennessee Code Annotated, Section 47-18-202(c)(3), is amended by deleting the subdivision and substituting instead the following language:

(c)

(3) Such an annual renewal shall be accompanied by a nonrefundable renewal fee in an amount set by the commissioner; provided, however, that if no amount has been set by rule, then the renewal fee shall be fifty dollars (\$50.00).

SECTION 6. Tennessee Code Annotated, Section 47-18-204, is amended by deleting the section and substituting instead the following language:

(a) The commissioner may deny, suspend, or revoke a registration for:

(1) A violation of this part or any rules promulgated pursuant to this part; or

(2) The making of a false statement on the registration application form.

(b) The commissioner may adopt rules to administer this part. The rules shall be adopted in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 7. Tennessee Code Annotated, Section 47-18-207, is amended by deleting the section and substituting instead the following language:

The commissioner shall notify the department of revenue within three (3) working days of any operator whose registration form does not include the operator's exemption certificate number or the operator's sales tax registration number as required by § 47-18- 202(a)(2)(E).

SECTION 8. Tennessee Code Annotated, Section 47-18-208, is amended by deleting the section and substituting instead the following language:

The registration of beauty pageant operators by the division of consumer affairs in the department of commerce and insurance prior to July 1, 2015, shall be transferred to, and be administered by, the division of regulatory boards in the department of commerce and insurance on and after July 1, 2015.

SECTION 9. Tennessee Code Annotated, Section 47-18-209, is amended by deleting the section and substituting instead the following language:

(a) A violation of any of this part relative to beauty pageants, or rules promulgated pursuant this part, constitutes a violation of the Tennessee Consumer Protection Act of 1977, compiled in part 1 of this chapter.

(b) For the purpose of application of the Tennessee Consumer Protection Act of 1977, any violation of this part, or rules promulgated pursuant to this part, shall constitute an unfair or deceptive act or practice affecting the conduct of any trade or commerce and subject to the penalties and remedies as provided by the act.

SECTION 10. Tennessee Code Annotated, Section 47-18-210, is amended by deleting the section and substituting instead the following language:

Whenever it appears to the commissioner that an operator is acting in violation of this part, and the commissioner determines that the public health, safety, or welfare is endangered, the commissioner may issue an order to that operator to cease and desist in the violations, without prior notice. The operator shall be afforded an opportunity for a hearing within seven (7) business days to show cause why the order should be lifted, rescinded, or modified.

SECTION 11. Tennessee Code Annotated, Section 47-18-301, is amended by deleting subdivision (3) and renumbering the remaining subdivisions accordingly.

SECTION 12. Tennessee Code Annotated, Section 47-18-305, is amended by deleting subsection (b) and substituting instead the following language:

(b)

(1) A health club shall not enter into or offer to enter into a health club agreement unless the health club is fully operational and available to use by prospective buyers. The commissioner shall, upon application by a health club operator, certify that a health club facility is fully operational if all of the promised equipment and services are available for use by prospective buyers. No payment or promise to pay by a prospective buyer may be accepted by any health club operator unless and until the health club facility has been certified by the commissioner to be fully operational as described in this part.

(2)

(A) This subsection (b) shall not apply to any health club that has maintained a satisfactory registration with the commissioner for five (5) consecutive years; provided, that those health clubs notify the commissioner by certified mail of their intent to enter into agreements for a location not fully operational as otherwise required by this subsection (b).

(B) A health club's maintenance of satisfactory registration with the consumer affairs division of the department of commerce and insurance prior to July 1, 2015, shall satisfy the requirement for maintenance of satisfactory registration with the commissioner in subdivision (b)(2)(A), if:

(i) The health club maintained satisfactory registration with the division for five (5) consecutive years prior to July 1, 2015; or

(ii) The health club maintained satisfactory registration with the division for a period of time that was less than five (5) years immediately preceding a period of time that the health club maintained satisfactory registration with the commissioner, which, when both periods of time are added together, total five (5) consecutive years.

(C) In order to be eligible to use this exemption, an operator shall use the same identification as described in any existing facility registration information as well as use the same federal and state tax accounts for payments of any related taxes due to this extension of operations.

SECTION 13. Tennessee Code Annotated, Section 47-18-305, is further amended by deleting subsection (e) and substituting instead the following language:

(e)

(1) Notwithstanding this part or any rules promulgated pursuant to this part to the contrary, a health club may enter into or offer to enter into a health club agreement with, or accept payment or a promise of payment from, a prospective buyer prior to certification by the commissioner of its facility as fully operational as set forth in subsection (b); provided, that the health club has:

(A) Acquired a property right or interest in this state with respect to the facility;

(B) Filed a registration application with the commissioner as required by § 47-18-309; and

(C) Purchased from a surety company authorized to do business in this state a surety bond in favor of the state of Tennessee in the amount of twenty-five thousand dollars (\$25,000).

(2)

(A) If the commissioner determines, based on the financial statement required by § 47-18-309(a)(3), that the financial condition of the health club is insufficient to protect prospective buyers, then the commissioner may require that the health club post a surety bond in an amount greater than twenty-five thousand dollars (\$25,000), but not to exceed two hundred thousand dollars (\$200,000). The health club shall file a copy of the bond with the commissioner.

(B) A buyer who suffers loss of payments made to a health club prior to certification due to the health club's failure to open the facility may recover the amount of the payments from the surety; provided, that the liability of the surety may not exceed the aggregate amount of the bond regardless of the number or amount of claims filed with the surety.

(C) Upon certification by the commissioner that the health club is fully operational, the health club may cancel the surety bond upon thirty (30) days written notice of cancellation from the surety to the commissioner.

SECTION 14. Tennessee Code Annotated, Section 47-18-309, is amended by deleting the word "division" wherever it appears in the section and substituting instead the word "commissioner".

SECTION 15. Tennessee Code Annotated, Section 47-18-309(a), is amended by deleting the subsection and substituting instead the following language:

(a) An application for a certificate of registration, which shall contain such information as the commissioner may require, shall be submitted on forms furnished by the commissioner and shall be accompanied by:

(1) A registration fee per location in an amount as set by the commissioner; provided, however, that if no amount has been set by rule, then the fee shall be two hundred fifty dollars (\$250) per location;

(2) Copies of all membership and health club agreements offered by the health club; and

(3) A current personal or corporate financial statement prepared by a certified public accountant.

SECTION 16. Tennessee Code Annotated, Section 47-18-310, is amended by deleting the section and substituting instead the following language:

(a) A certificate of registration shall be valid for one (1) year from the date of issuance and shall be invalid upon expiration until it is renewed.

(b) Application for renewal of a certificate of registration, which shall contain such information as the commissioner may require, shall be submitted to the commissioner before the expiration date on forms furnished by the commissioner, and shall be accompanied by:

(1) A fee per location in an amount as set by the commissioner; provided, however, that if no amount has been set by rule, then the fee shall be one hundred fifty dollars (\$150) per location; and

(2) Copies of all membership and health club agreements offered by the health club.

(c) Certificates of registration shall be subject to late renewal for thirty (30) days following their expiration date by payment of the prescribed fee in addition to a penalty fee as set by the commissioner; provided, however, that if no amount has been set by rule, then the penalty fee shall be fifty dollars (\$50.00).

(d) No renewal application will be accepted more than thirty (30) days from its expiration.

(e) Upon compliance with this part by an applicant, the commissioner shall renew a certificate of registration.

SECTION 17. Tennessee Code Annotated, Section 47-18-313, is amended by deleting the word "division" wherever it appears and substituting instead the word "commissioner".

SECTION 18. Tennessee Code Annotated, Section 47-18-314, is amended by deleting the section and substituting instead the following language:

(a) It is unlawful to accept a down payment for a health club agreement in excess of thirty percent (30%) of the total cost of the agreement without a valid certificate of exemption.

(b) Each holder of a certificate of exemption shall display the certificate in a conspicuous place at each location where health club services or facilities are provided.

(c) Certificates of exemption shall be valid for one (1) year from the date of issuance.

(d) Application for renewal of a certificate of exemption shall be submitted before the expiration date on forms furnished by the commissioner, and shall contain a sworn certification by the holder that the requirements for exemption continue to be met, and that the holder is in full compliance with this part.

(e) In the event a holder of a certificate of exemption ceases to meet the requirements for exemption, then the certificate of exemption shall be invalid.

(f) Within ten (10) days after any change in the information contained in the original application or the application for renewal, each holder of a certificate of exemption shall notify the commissioner of the change by registered or certified mail.

(g) An application for exemption shall be submitted on forms furnished by the commissioner and shall be accompanied by:

(1) A nonrefundable application fee in an amount as set by the commissioner; provided, however, that if no amount has been set by rule, then the fee shall be fifty dollars (\$50.00); and

(2) A current personal or corporate financial statement prepared by a public accountant who holds a valid permit to practice in this state.

(h) A certificate of exemption shall be granted; provided, that the application provides proof satisfactory to the commissioner that the following criteria are met:

(1) The applicant has a net worth in excess of two hundred fifty thousand dollars (\$250,000) per location where health club services or facilities are provided; and

(2) The applicant has operated under substantially the same ownership and control for at least five (5) years.

(i) For the purpose of calculating net worth as provided in subsection (h), the following are excluded:

(1) Assets which represent prepayment for future services;
and

(2) Accounts receivable due from health club members for future services.

(j) Any health club which had applied for and obtained an exemption from the bond requirement under prior law shall be exempt from the provisions of this part that prohibit acceptance of a down payment for a health club agreement in an amount in excess of thirty percent (30%) of the total cost of the agreement. The exemption established by this subsection (j) shall be valid only as long as the health club operates

under the same or substantially the same ownership and control that existed when the exemption was granted under prior law.

SECTION 19. Tennessee Code Annotated, Section 47-18-315(a), is amended by deleting the subsection and substituting instead the following language:

(a) Notwithstanding any provision of this chapter to the contrary, the commissioner, or the commissioner's designee, may refuse to issue, suspend, revoke, or refuse to renew any registration pursuant to this part for a violation of this part or the rules promulgated pursuant to this part.

SECTION 20. Tennessee Code Annotated, Section 47-18-318, is amended by deleting the section and substituting instead the following language:

(a)

(1) In order to provide a degree of protection to members of health clubs, each health club shall post a bond in an amount as determined by the commissioner for each location conducting business in this state. The bond shall be made with a bond issued by a corporate surety acceptable to the commissioner.

(2) If the commissioner has not promulgated a rule setting the required level of bonding, then the bond shall be in the amount of twenty-five thousand dollars (\$25,000) for each location doing business in this state.

(b) The bond shall be maintained for two (2) years following the date on which the health club location ceases to conduct business in this state.

(c) In an action brought by the attorney general and reporter pursuant to part 1 of this chapter, the attorney general and reporter shall have the right to request that the total amount of the bond posted by the health club be awarded to the state for consumer restitution. Any person who has entered a health club agreement that is not fulfilled by the operator may make a claim against the bond.

(d) This section shall not apply to any health club or health club operator that has, for at least seven (7) consecutive years, operated under substantially the same ownership and control and maintained a satisfactory registration with the department of commerce and insurance.

(e)

(1) In lieu of the surety bond required in this section, a health club may file with the department of commerce and insurance a current audited financial statement prepared by a certified public accountant licensed in this state that demonstrates to the department that either the health club or the health club operator has a financial net worth

of at least ten million dollars (\$10,000,000) available to satisfy any claims imposed by the department.

(2) Any health club that files an audited financial statement in lieu of posting the surety bond required by this section shall annually file an updated audited financial statement that complies with subdivision (e)(1). Within thirty (30) calendar days of receiving information that would render the health club ineligible for exemption from the surety bond requirement under this subsection (e), the health club or the health club operator shall notify the department of commerce and insurance of the change in the health club's financial status and post the required surety bond with the department.

SECTION 21. Tennessee Code Annotated, Title 47, Chapter 18, Part 3, is amended by adding the following language as a new, appropriately designated section:

The registration of health clubs shall be transferred to, and be administered by, the division of regulatory boards in the department of commerce and insurance on and after July 1, 2015.

SECTION 22. Tennessee Code Annotated, Section 47-18-1002, is amended by adding the following as a new, appropriately designated subdivision:

() "Commissioner" means the commissioner of commerce and insurance;

SECTION 23. Tennessee Code Annotated, Section 47-18-1011, is amended by deleting the section and substituting instead the following language:

(a)

(1) In order to provide a degree of protection to customers of credit services businesses, each credit services business shall post a bond in an amount as determined by the commissioner with the department of commerce and insurance for each location conducting business in this state. The bond shall be made with a bond issued by a corporate surety acceptable to the commissioner.

(2) If the commissioner has not promulgated a rule setting the required level of bonding, then the bond shall be in the amount of one hundred thousand dollars (\$100,000).

(b) The bond shall be maintained for two (2) years following the date on which the credit services business ceases to conduct business in this state.

(c) In an action brought by the attorney general and reporter pursuant to § 47-18-1010, the attorney general and reporter shall have the right to request that the

total amount of the bond posted by the credit services business be awarded to the state for consumer restitution or civil penalties. Further, any person who has been awarded damages for a private action under this part may make a claim against the bond.

(d) Notwithstanding subsection (a), any credit services business that was registered with the division of consumer affairs in the department of commerce and insurance on or before May 1, 1998, shall only be required to post a bond in the amount of ten thousand dollars (\$10,000) with the department. The bond may be made through a deposit of cash, a certificate of deposit, securities, or with a bond issued by a corporate surety acceptable to the commissioner.

(e) Receipt of bonds for credit services businesses posted under this part shall be transferred to the division of regulatory boards in the department of commerce and insurance on and after July 1, 2015.

(f) The commissioner may prescribe fees for the filing of a bond with the department of commerce and insurance pursuant to this part. The fees shall be in an amount that provides for the cost of administering the receipt of bonds for credit services businesses. Fees may be adjusted as necessary to provide that the administration of bonds for credit services businesses is fiscally self-sufficient and that revenues from fees do not exceed necessary and required expenditures.

SECTION 24. Tennessee Code Annotated, Section 47-18-5506(14), is amended by deleting the subdivision in its entirety and substituting instead the following language:

(14)

(a) At the applicant's expense, the results of a state and national fingerprint-based criminal history records check conducted by the federal bureau of investigation (FBI) or the Tennessee bureau of investigation (TBI), covering every officer of the applicant and every employee or agent of the applicant who is authorized to have access to the trust account required by § 47-18-5522.

(b) The applicant shall obtain electronically-scanned fingerprints placed on standard FBI or TBI applicant cards through a company that has contracted with the state to provide a fingerprinting service; provided, however, that the administrator may allow the applicant to instead provide the administrator with three (3) sets of classifiable fingerprints on standard FBI or TBI applicant cards for processing by the FBI or TBI for good cause.

(c) In the event the state no longer contracts with any company to provide an electronic fingerprinting service, the applicant shall submit three (3) classifiable TBI and FBI fingerprint cards to be processed at the applicant's expense.

SECTION 25. Tennessee Code Annotated, Section 47-18-5509(c) is amended by deleting the subsection and substituting instead the following language:

(c) The administrator may deny registration if:

(1) The application contains information that is materially erroneous or incomplete;

(2) An officer, director, or owner of the applicant has been convicted of a crime or suffered a civil judgment involving dishonesty, or the violation of state or federal securities laws;

(3) The applicant or any of its officers, directors, or owners has defaulted in the payment of money collected for others;

(4) The application is not accompanied by the fee established by the administrator;

(5) The administrator finds that the financial responsibility, experience, character, or general fitness of the applicant or its owners, directors, employees, or agents does not warrant belief that the business will be operated in compliance with this part;

(6) The applicant or any of its officers, directors, or owners has violated this part or any rule promulgated pursuant to this part; or

(7) The applicant or any of its officers, directors, or owners has engaged in any act or violation for which the administrator could suspend or revoke a registration under this part.

SECTION 26. Tennessee Code Annotated, Section 47-18-5510(b), is amended by deleting the subsection and substituting instead the following language:

(b) If the administrator does not act on an application within the time prescribed in subsection (a), the applicant may appeal and request a hearing pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, part 3.

SECTION 27. Tennessee Code Annotated, Section 47-18-5511(b)(1), is amended by deleting the phrase “no fewer than thirty (30) and”.

SECTION 28. Tennessee Code Annotated, Section 47-18-5533(a)(3), is amended by deleting the subdivision and substituting instead the following language:

(a)

(3) Subject to adjustment of the dollar amount pursuant to § 47-18-5532(f), imposing on a provider or a person who has caused a

violation a civil penalty not exceeding ten thousand dollars (\$10,000) for each violation of this part or any rule promulgated pursuant to this part;

SECTION 29. Tennessee Code Annotated, Section 47-18-5537(a), is amended by deleting the subsection and substituting instead the following language:

(a) An action or proceeding brought pursuant to § 47-18-5533(a), (b), or (c) shall be commenced within four (4) years after the administrator opens a complaint.

SECTION 30. Tennessee Code Annotated, Title 47, Chapter 18, Part 55, is amended by adding the following language as a new, appropriately designated section:

Beginning on July 1, 2015, administration of the Uniform Debt-Management Services Act on behalf of the administrator shall be attached to the division of regulatory boards in the department of commerce and insurance.

SECTION 31. For the purpose of rulemaking, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2015, the public welfare requiring it.

On motion, Consumer and Human Resources Committee Amendment No. 1 was adopted.

Rep. D. White moved that **Senate Bill No. 83**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

***House Bill No. 608** -- Annexation - As introduced, removes provisions related to annexation by ordinance, including the process by which a larger municipality may annex a smaller municipality by ordinance, to effectuate the provisions of Chapter 707 of the Public Acts of 2014 to abolish annexation by ordinance. - Amends TCA Title 6, Chapter 51 and Title 6, Chapter 58. by *Carter, *VanHuss, *McManus. (SB755 by *Watson, *Kelsey)

Rep. Carter moved that House Bill No. 608 be passed on third and final consideration.

Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 608 by deleting SECTION 6 in its entirety and renumbering the subsequent sections accordingly.

AND FURTHER AMEND by adding the following as new, appropriately designated sections immediately preceding the effective date section:

SECTION _____. Tennessee Code Annotated, Section 6-51-104, is amended by adding the following new subsection:

() A resolution proposing annexation by written consent of the property owner or owners shall become effective only upon adoption of such resolution by the municipality.

SECTION _____. Tennessee Code Annotated, Section 6-51-108(e), is amended by deleting the language “by ordinance”.

SECTION _____. Tennessee Code Annotated, Section 6-51-109(a), is amended by deleting the language “by ordinance”.

SECTION _____. Tennessee Code Annotated, Section 6-51-109(c), is amended by deleting the language “adoption of the ordinance by the larger municipality” and by substituting instead “certification of the election results”.

SECTION _____. Tennessee Code Annotated, Section 6-51-119(a), is amended by deleting the language “annexation ordinance” and replacing it with “resolution for annexation”, by deleting the language “annexation ordinances” and replacing it with “resolutions for annexation”, and by deleting the language “upon final passage of the ordinance” and replacing it with “upon ratification of a resolution to annex”.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Carter moved that **House Bill No. 608**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety,

Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

House Bill No. 1221 -- Students - As introduced, requires the local board of education to reassign a student for whom a report of child sexual abuse has been filed and the abuse is suspected to have occurred while the child was under the care or supervision of the school to another school chosen by the child's parent. - Amends TCA Title 37 and Title 49. by *Towns. (*SB656 by *Kyle)

Rep. Towns moved that House Bill No. 1221 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Administration & Planning Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1221 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-3102, is amended by adding the following language as new, appropriately designated subsections:

() If a child who attends a public school is the suspected victim of child sexual abuse as defined in § 37-1-602(a)(3) and the abuse occurred while the child was under the supervision or care of the school, then the school shall make reasonable accommodations to separate the alleged victim of child sexual abuse from the alleged perpetrator.

() If available and appropriate, the local school board shall, upon request by the parent of the child, reassign a child who attends a public school and is the victim of child sexual abuse as defined in § 37-1-602(a)(3) when:

(1) The abuse occurred while the child was under the supervision or care of the school; and

(2) The perpetrator of the abuse is:

(A) Substantiated by the department of children's services;

(B) Adjudicated by a juvenile court to have committed the child sexual abuse; or

(C) Criminally charged.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Administration & Planning Committee Amendment No. 1 was adopted.

Rep. Stewart moved the previous question, which motion prevailed.

Rep. Towns moved that **House Bill No. 1221**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following members desire to change their original stand from "not voting" to "aye" on **House Bill No. 1221** and have this statement entered in the Journal: Reps. Sparks and Van Huss.

REGULAR CALENDAR, CONTINUED

***House Bill No. 880** -- Sexual Offenders - As introduced, requires persons convicted of the offense of sexual contact with inmates to register as a sexual offender and allows such persons to file a request for termination of registration no sooner than three years after termination of active supervision or no sooner than three years after discharge from

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incarceration without supervision. - Amends TCA Title 40, Chapter 39. by *Littleton. (SB853 by *Overbey)

Rep. Littleton moved that **House Bill No. 880** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

***House Bill No. 834** -- Education - As introduced, requires the local school board to create a policy that excuses students who request to attend a released time course in religious moral instruction taught by a sponsoring entity off school property. - Amends TCA Title 49, Chapter 2, Part 1. by *Powers, *DeBerry. (SB1246 by *Bailey)

On motion, House Bill No. 834 was made to conform with **Senate Bill No. 1246**; the Senate Bill was substituted for the House Bill.

Rep. Powers moved that Senate Bill No. 1246 be passed on third and final consideration.

Rep. Forgety moved that Education Instruction & Programs Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Powers moved that **Senate Bill No. 1246** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy,

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Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

***House Bill No. 615** -- State Government - As introduced, designates the Holy Bible as the official state book. - Amends TCA Title 4, Chapter 1. by *Sexton J, *Byrd, *Weaver, *Goins, *VanHuss, *Hill T, *Holt, *Lollar, *Matlock, *Matheny, *Spivey, *Holsclaw, *Hill M, *Lamberth, *Womick, *Rogers, *Sparks, *Brooks K, *Dunn, *Shepard, *Butt, *Reedy, *Powers, *Calfee, *Doss, *Shaw, *Eldridge, *Keisling, *Hawk, *Windle, *Wirgau, *Moody, *Kane, *White M, *White D, *Wilburn, *DeBerry, *Casada, *Carr , *Johnson, *Littleton, *Williams, *Sargent, *Harrison, *McDaniel, *Howell, *Brooks H, *Kumar, *Pody, *Lynn, *Coley, *Terry, *Carter, *Towns, *Alexander, *Todd, *Dunlap. (SB1108 by *Southerland, *Bailey, *Beavers, *Bell, *Bowling, *Crowe, *Gresham, *Harris, *Jackson, *Johnson, *Ketron, *Kyle, *Massey, *McNally, *Niceley, *Roberts, *Tate, *Tracy)

Rep. J. Sexton moved that House Bill No. 615 be passed on third and final consideration.

Rep. Ramsey moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 615 by deleting all language after the caption and substituting instead the following:

WHEREAS, the Holy Bible has great historical and cultural significance in the State of Tennessee as a record of the history of Tennessee families that predates some modern vital statistical records; and

WHEREAS, according to the Secretary of State, before the 20th century Tennessee and many other states did not keep comprehensive records of births, marriages, and deaths; and

WHEREAS, families recorded their own vital records in family Bibles that were passed down through the generations; and

WHEREAS, because these Bibles contain a history of Tennessee families that may not be found otherwise, the Tennessee State Library and Archives holds hundreds of family Bible records in several formats and within many collections; and

WHEREAS, the Tennessee State Library and Archives Bible collection contains Bibles with records dated between the late 18th century and the early 20th century, including those of many prominent Tennessee families; and

WHEREAS, Secretary of State Tre Hargett has said in connection with these Bible collections: “I am thrilled that the State Library and Archives and our volunteers have worked to make these resources accessible to all Tennesseans. The information recorded in TSLA’s collection of Bible records is not only helpful for genealogy, but also a wonderful display of history at a very personal level”; and

WHEREAS, printing the Bible is a multimillion dollar industry for the state with many top Bible publishers headquartered in Nashville, including Thomas Nelson, Gideons International, and United Methodist Publishing House; and

WHEREAS, in June of 2014, Thomas Nelson was purchased by a private investment firm for almost half a billion dollars; and

WHEREAS, even the *Los Angeles Times* has acknowledged the economic impact of the Bible in Tennessee; and

WHEREAS, designating the Holy Bible as the official state book is in keeping with the religious connotations reflected in other state symbols and songs; and

WHEREAS, the tulip poplar was chosen as the state tree because, according to the *Blue Book*, “it grows from one end of the state to the other” and was “extensively used by the pioneers of the state” for practical purposes such as the construction of “houses, barns, and other necessary farm buildings”, similar to how the Holy Bible is found in homes across the state and has been “used” for practical purposes such as recording family histories; and

WHEREAS, the state’s “agricultural insect” is the honey-bee, which according to the *Blue Book*, “plays a vital economic role in Tennessee,” even as does the printing and distribution of the Holy Bible in Tennessee; and

WHEREAS, the “passion flower” was chosen as the state wildflower even though, according to the *Blue Book*, its name came from “early Christian missionaries to South America, who saw in the various parts of the curiously constructed flower symbols of the Crucifixion – the three crosses, the crown of thorns, nails and chord”; and

WHEREAS, the “Coccinella 7,” commonly called the ladybug or the ladybird beetle was chosen as a state insect, even though, according to the *Blue Book*, “this beetle was dedicated to the Virgin Mary and called the ‘Beetle of our Lady’”; and

WHEREAS, two state songs, “My Tennessee” and “Tennessee” refer to our state’s natural beauty as having been “strewn” by “God’s ... lavish hand”, being a demonstration of “His wond’rous art” and evoking a “feeling its all God’s will”; and

WHEREAS, the state poem, “Oh Tennessee, My Tennessee,” includes these words:

“Strong Folks of Pioneer Descent,

Simple, Honest, and Reverent;" now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 1, Part 3, is amended by adding the following language as a new section:

The Holy Bible is hereby designated as the official state book.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, State Government Committee Amendment No. 1 was adopted.

BILL RE-REFERRED

Rep. Sanderson moved that **House Bill No. 615** be re-referred to the State Government Committee, which motion failed by the following vote:

Ayes 37
Noes..... 57

Representatives voting aye were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, Daniel, Faison, Farmer, Favors, Gilmore, Gravitt, Hardaway, Haynes, Hazlewood, Jernigan, Jones, Lamberth, Lundberg, Marsh, McCormick, McManus, Miller, Mitchell, Powell, Ragan, Ramsey, Sanderson, Sexton C., Smith, Stewart, Swann, Terry, Towns, Travis, Turner, Madam Speaker Harwell -- 37

Representatives voting no were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Casada, Coley, Doss, Dunlap, Dunn, Durham, Eldridge, Fitzhugh, Forgety, Goins, Halford, Harrison, Hawk, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Littleton, Lollar, Lynn, Matheny, Matlock, Moody, Parkinson, Pody, Powers, Reedy, Rogers, Sargent, Sexton J., Shaw, Shepard, Sparks, Spivey, Todd, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick -- 57

Rep. Casada moved the previous question, which motion failed by the following vote:

Ayes 44
Noes..... 46

Representatives voting aye were: Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Coley, Doss, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Halford, Harrison, Hawk, Haynes, Holt, Howell, Hulsey, Keisling, Kumar, Lamberth, Littleton, Lollar, Marsh, Matheny,

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Matlock, McDaniel, McManus, Moody, Pody, Powers, Ramsey, Reedy, Spivey, Todd, Weaver, White D., Wilburn, Williams, Windle, Madam Speaker Harwell -- 44

Representatives voting no were: Akbari, Alexander, Armstrong, Beck, Camper, Casada, Clemmons, Cooper, Daniel, DeBerry, Dunlap, Favors, Fitzhugh, Gilmore, Hardaway, Hazlewood, Hill M., Hill T., Jernigan, Jones, Love, Lundberg, Lynn, Miller, Mitchell, Parkinson, Powell, Ragan, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Smith, Sparks, Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, White M., Wirgau, Womick -- 46

After further discussion, Rep. Butt moved the previous question, which motion failed by the following vote:

Ayes 54
Noes..... 38

Representatives voting aye were: Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Casada, Coley, Doss, Dunn, Durham, Eldridge, Farmer, Forgety, Goins, Halford, Harrison, Hawk, Haynes, Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Littleton, Lollar, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ramsey, Reedy, Rogers, Sargent, Sparks, Spivey, Todd, Van Huss, Weaver, White D., White M., Wilburn, Windle, Womick, Madam Speaker Harwell -- 54

Representatives voting no were: Akbari, Alexander, Armstrong, Camper, Clemmons, Cooper, Daniel, DeBerry, Dunlap, Favors, Fitzhugh, Gilmore, Gravitt, Hardaway, Hazlewood, Jernigan, Jones, Love, Lundberg, Lynn, Miller, Mitchell, Parkinson, Pitts, Powell, Ragan, Sanderson, Sexton C., Shaw, Shepard, Smith, Stewart, Swann, Terry, Towns, Turner, Williams, Wirgau -- 38

After further discussion, Rep. Casada moved the previous question, which motion failed by the following vote:

Ayes 63
Noes..... 35

Representatives voting aye were: Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Casada, Coley, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ramsey, Reedy, Rogers, Sargent, Sexton J., Shepard, Sparks, Spivey, Todd, Van Huss, Weaver, White D., White M., Wilburn, Windle, Womick, Madam Speaker Harwell -- 63

Representatives voting no were: Akbari, Alexander, Armstrong, Camper, Clemmons, Cooper, Daniel, Dunlap, Favors, Fitzhugh, Gilmore, Hardaway, Hazlewood, Jernigan, Jones, Love, Lundberg, Miller, Mitchell, Parkinson, Pitts, Powell, Ragan, Sanderson, Sexton C., Shaw, Smith, Stewart, Swann, Terry, Towns, Travis, Turner, Williams, Wirgau -- 35

REQUEST TO CHANGE VOTE

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Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on the motion to re-refer **House Bill No. 615** back to State Government Committee and have this statement entered in the Journal: Rep. Lamberth.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 271 Rep. Sanderson as prime sponsor.

House Bill No. 10 Rep. Weaver as prime sponsor.

House Bill No. 57 Rep. Fitzhugh as prime sponsor.

House Bill No. 122 Rep. Fitzhugh as prime sponsor.

House Bill No. 473 Rep. McCormick as prime sponsor.

House Bill No. 505 Rep. Hardaway as prime sponsor.

House Bill No. 559 Rep. Spivey as prime sponsor.

House Bill No. 646 Rep. Hardaway as prime sponsor.

House Bill No. 735 Reps. Gilmore and Clemmons as prime sponsors.

House Bill No. 867 Rep. Fitzhugh as prime sponsor.

House Bill No. 1049 Reps. Sparks, Lynn and Littleton as prime sponsors.

House Bill No. 1167 Rep. Hardaway as prime sponsor.

SPONSORS REMOVED

On motion, Reps. Love, Marsh, Halford, Haynes, Forgety, Swann, Lundberg, Travis, Ragan and Parkinson as sponsors of **House Bill No. 615**.

MESSAGE FROM THE SENATE
April 14, 2015

MADAM SPEAKER: I am directed to return to the House, House Bill No. 137; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 14, 2015

MADAM SPEAKER: I am directed to return to the House, House Bill No. 84; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 14, 2015

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution No. 265; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 14, 2015

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 83, 219, 523, 783, 899, 1204, 1213 and 1239; substituted for Senate Bills on same subjects and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 14, 2015

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 150, 249, 250, 252, 253, 254, 255, 256, 257 and 258; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 14, 2015

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 130, 134, 186, 187, 189, 209, 212, 470, 605, 874, 881, 889, 948, 1103, 1113, 1204, 1234, 1316 and 1331; passed by the Senate.

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RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 130** -- Highways, Roads and Bridges - As introduced, extends a municipality's reporting deadline to the general assembly under a pilot program for the use of golf carts on certain public roads from February 1 to March 15. - Amends TCA Title 55. by *Tracy. (HB181 by *Matlock)

***Senate Bill No. 134** -- Highways, Roads and Bridges - As introduced, increases the number of days the owner of a utility facility located in a right-of-way of a state highway has to respond to a second relocation notice from 10 days to 30 days; increases an owner's filing deadline from 10 days to 30 days. - Amends TCA Title 54. by *Tracy. (HB180 by *Matlock)

Senate Bill No. 186 -- Taxes, Hotel Motel - As introduced, authorizes the City of Fayetteville, by ordinance adopted by a two-thirds vote, to levy an occupancy tax of not more than 5 percent on the privilege of staying in any hotel or motel in Fayetteville; the ordinance must set forth the manner of collection and administration of the privilege tax; requires that all proceeds received by the municipality from the tax be used for tourism development. - Amends TCA Section 67-4-1425. by *Tracy. (*HB169 by *Marsh)

Senate Bill No. 187 -- Sentencing - As introduced, creates an enhancement factor, by which the defendant's sentence can be increased, that the defendant knowingly committed the offense within the geographical area, and during the time of, an emergency or disaster. - Amends TCA Title 39 and Title 40, Chapter 35. by *Niceley. (*HB170 by *Rogers, *Lamberth)

Senate Bill No. 189 -- Schools, Charter - As introduced, allows the governing body of a charter school to choose the insurance plans offered to the school's teachers and other full-time permanent employees; removes requirement that charter school employees participate in the state group insurance plan. - Amends TCA Section 49-13-119. by *Dickerson, *Gresham. (*HB157 by *Casada)

Senate Bill No. 209 -- Driver Licenses - As introduced, increases the duration of driver licenses from five to eight years and changes the fees for driver licenses and photo identification licenses. - Amends TCA Title 55. by *Niceley. (*HB198 by *Goins, *Rogers)

Senate Bill No. 212 -- Sunset Laws - As enacted, extends the Tennessee athletic commission, June 30, 2017; deletes obsolete provisions of the Tennessee Athletic Commission Act and makes other revisions to the Act. - Amends TCA Title 4, Chapter 29, Part 2 and Title 68, Chapter 115. (*HB392 by *Faison, *Ragan, *Pitts, *Todd)

***Senate Bill No. 470** -- Criminal Offenses - As introduced, increases the penalty for sexual exploitation of a minor from a Class D felony to a Class C felony if the state proves the actual identity or age of the minor victim. - Amends TCA Title 39, Chapter 17. by *Bell. (HB882 by *Littleton)

***Senate Bill No. 605** -- Lottery, Scholarships and Programs - As introduced, creates the Community College reconnect grant for independent students seeking to complete an associate of applied science degree; clarifies the meaning of gift aid for purposes of the Wilder-Naifeh reconnect grant. - Amends TCA Title 49, Chapter 4, Part 9. by *Norris, *Green, *Stevens, *Gresham. (HB646 by *McCormick, *Lamberth, *White M, *White D, *Moody, *Brooks K)

***Senate Bill No. 874** -- Explosives - As introduced, permits the use of exploding targets in lawful sporting activity; exempts the use of exploding materials for lawful sporting activity from the Tennessee Blasting Standards Act of 1975. - Amends TCA Title 39, Chapter 14, Part 7; Title 39, Chapter 17, Part 13; Title 68, Chapter 102, Part 1 and Title 68, Chapter 105. by *Niceley. (HB934 by *Matheny)

Senate Bill No. 881 -- Elder Abuse - As introduced, requires that a fine be imposed on a person convicted of abuse, neglect, or exploitation of an adult if the victim was over 60 years of age; requires that the fines be appropriated by the general assembly to fund services and programs for senior citizens. - Amends TCA Title 39, Chapter 13; Title 71, Chapter 2 and Title 71, Chapter 6, Part 1. by *Yarbro. (*HB196 by *Gilmore)

Senate Bill No. 889 -- Health Care - As introduced, prohibits the use of a survey, inspection, or investigation of a healthcare provider that is conducted by a state or federal department or agency as evidence in a healthcare liability action, except to impeach a witness, or in an advertisement, unless certain criteria are met. - Amends TCA Title 29, Chapter 26, Part 1. by *Kelsey, *Gresham. (*HB714 by *Wilburn, *Carter, *Durham)

***Senate Bill No. 948** -- State Government - As introduced, abolishes the office of state geographer. - Amends TCA Title 4 and Title 5. by *Massey, *Harper, *Kyle, *Norris, *Yager, *Yarbro. (HB1064 by *Jernigan)

Senate Bill No. 1103 -- Firearms and Ammunition - As introduced, establishes certain procedures regarding the disposition of confiscated or abandoned firearms in state or local custody, including the sale and destruction of such firearms. - Amends TCA Title 38, Chapter 6; Section 39-17-1317 and Section 40-33-211. by *Overbey, *Stevens, *Yager. (*HB1046 by *Lamberth, *McCormick, *Casada, *Hill T, *Durham, *Reedy, *VanHuss, *Hill M, *Johnson, *Goins, *Keisling, *Halford, *Gravitt, *Lollar, *Hulsey, *Wilburn, *Littleton, *Carr, *Sexton C, *Lynn, *Haynes, *Sanderson, *Butt, *Sargent, *Swann, *Holt, *Harrison, *Matheny, *Rogers, *Sparks, *Eldridge)

Senate Bill No. 1113 -- Wine & Wineries - As introduced, revises the provisions governing the issuance of a self-distribution permit to a winery. - Amends TCA Section 57-3-207. by *Johnson, *Bowling. (*HB1042 by *Sexton C, *Johnson)

Senate Bill No. 1204 -- Animal Cruelty and Abuse - As introduced, enacts the "Tennessee Animal Abuser Registration Act." - Amends TCA Title 39; Title 40 and Title 44. by *Yarbro, *Briggs, *Dickerson, *Kyle, *Massey, *Hensley, *Harris, *Tate, *Yager. (*HB147 by *Jernigan, *Durham, *Lundberg, *McManus, *Hill T, *VanHuss, *Fitzhugh, *Clemmons, *Beck, *Miller, *Akbari, *Stewart, *Gilmore, *Byrd, *Parkinson, *Turner, *Cooper, *Hardaway, *Powell, *Jones, *Pitts, *Dunlap, *Ramsey, *Kane, *Calfee, *Casada, *Hulsey, *Shaw, *Todd, *Terry, *Shepard, *Armstrong, *Holsclaw, *Love, *Swann, *Camper, *Carr, *Harrison, *Hill M, *Lollar, *Holt)

Senate Bill No. 1234 -- Bail, Bail Bonds - As introduced, permits a professional bondsman to take certain actions without legal counsel; directs that documents relating to the assignment of collateral be delivered to the presiding judge of the judicial district; creates a procedure for a surety to deliver to the court an investment certificate to establish or increase the surety's capacity. - Amends TCA Section 40-11-302. by *Bell. (*HB853 by *Farmer)

Senate Bill No. 1316 -- Alcohol Offenses, Motor Vehicles - As introduced, creates Class C felony offense of aggravated vehicular assault, which is vehicular assault with certain aggravating factors such as prior convictions for alcohol-related traffic offenses or a high blood alcohol concentration. - Amends TCA Title 39, Chapter 13, Part 1. by *McNally. (*HB120 by *Lamberth, *Sargent)

Senate Bill No. 1331 -- Health Care - As introduced, requires the commissioner of health to establish policies for the release of HIPAA compliant limited-use data sets. - Amends TCA Title 68, Chapter 1, Part 1. by *McNally. (*HB322 by *Williams)

MESSAGE FROM THE SENATE
April 14, 2015

MADAM SPEAKER: I am directed to return to the House, House Bill No. 995
The Senate acceded to the request of the House for the appointment of a conference Committee. The Speaker appointed a Conference Committee composed of Senators: Stevens, Bell, Yarbrow to confer with a like committee from the House in open conference to resolve the differences between the bodies on House Bill No. 995

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 14, 2015

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution No. 315; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 14, 2015

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 428; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 428 -- Criminal Offenses - As introduced, deletes the requirement of intent to cause bodily injury from aggravated assault involving strangulation or attempted strangulation; alters the definition of strangulation to include recklessly impeding normal breathing or circulation, regardless of whether the conduct results in visible injury or whether the person has intent to kill or protractedly injure the victim. - Amends TCA Section 39-13-102. by *Massey, *Ketron, *Dickerson. (*HB217 by *Jones, *Stewart, *Weaver)

MESSAGE FROM THE SENATE
April 14, 2015

TUESDAY, APRIL 14, 2015 – TWENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 643; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 643** -- Wine & Wineries - As introduced, eliminates the restrictions on items a winery may sell at retail; permits a winery to sell any item at retail as state law permits. - Amends TCA Section 57-3-207. by *Ketrone. (HB761 by *Wingau)

SIGNED
April 14, 2015

The Speaker announced that she had signed the following: Senate Bills Nos. 88, 113, 118, 147, 171, 201, 215, 235, 323, 473, 753, 1005 and 1240.

JOE MCCORD, Chief Clerk

REPORT OF CHIEF ENGROSSING CLERK
April 14, 2015

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 125, 153, 158, 218, 308, 811, 1051 and 1255; also House Joint Resolution No. 265; for his action.

GREG GLASS, Chief Engrossing Clerk

SIGNED
April 14, 2015

The Speaker announced that she had signed the following: House Bills Nos. 6, 36, 52, 314, 330, 670, 699, 796, 830, 865, 874, 968, 987, 1003, 1125, 1377 and 1386.

GREG GLASS, Chief Engrossing Clerk

ENROLLED BILLS
April 14, 2015

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 47, 48, 49, 50, 51, 52, 53, 54 and 55; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

SIGNED
April 14, 2015

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The Speaker announced that she had signed the following: House Resolutions Nos. 47, 48, 49, 50, 51, 52, 53, 54 and 55.

GREG GLASS, Chief Engrossing Clerk

ENGROSSED BILLS
April 14, 2015

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 608, 880, 914 and 1221; also House Joint Resolutions Nos. 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327 and 328.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE
April 14, 2015

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 289; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 14, 2015

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 18, 321, 395, 408, 456, 463, 528, 695 and 817; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 18** -- Alcoholic Beverages - As introduced, authorizes any establishment in Eagleville that is licensed to serve beer to also serve alcoholic beverages and wine on premises with a premier type tourist resort license. - Amends TCA Title 57, Chapter 4. by *Ketron. (HB131 by *Johnson, *Womick)

***Senate Bill No. 321** -- Agriculture, Dept. of - As introduced, reestablishes and revises the Tennessee agriculture regulatory fund; revises fee provisions and authorizes multiple fees to be set by rule. - Amends TCA Title 43; Title 44; Title 47; Title 53 and Title 62. by *Norris. (HB290 by *McCormick, *Brooks K, *McDaniel)

***Senate Bill No. 395** -- Lottery, Charitable - As introduced, permits nonpublic schools to conduct bingo as an annual charitable gaming event. - Amends TCA Title 3, Chapter 17; Title 39, Chapter 17, Part 5 and Title 39, Chapter 17, Part 6. by *Niceley. (HB1190 by *Holsclaw)

***Senate Bill No. 408** -- Courts, Supreme Court of Tennessee - As introduced, permits the supreme court to commission as senior judge a state trial court judge who served at least
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TUESDAY, APRIL 14, 2015 – TWENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION

one full eight-year term but was not reelected following the judge's most recent term of judicial service. - Amends TCA Title 17, Chapter 2, Part 3. by *Overbey. (HB526 by *Haynes)

Senate Bill No. 456 -- Alcohol Offenses, Motor Vehicles - As introduced, specifies that if a person is charged with vehicular assault, vehicular homicide, or aggravated vehicular homicide and has a prior alcohol-related motor vehicle conviction, the judge or magistrate must make use of a transdermal monitoring device a condition of the person's bail. - Amends TCA Title 40, Chapter 11, Part 1. by *Bell. (*HB134 by *Lamberth)

Senate Bill No. 463 -- Statutes of Limitations and Repose - As introduced, tolls the statute of limitations for civil actions if there is a criminal prosecution resulting from the same acts or conduct; establishes a 10-year statute of repose for actions tolled under this act; permits filing for up to one year after the criminal case is ended or whatever time remains in the applicable statute of limitations. - Amends TCA Title 28, Chapter 3. by *Bell. (*HB200 by *Lamberth)

***Senate Bill No. 528** -- Alcoholic Beverages - As introduced, allows a Tennessee resident who has been residing outside the United States due to employment to apply for a one-time license to ship wine to this state that the resident has purchased while residing outside the United States. - Amends TCA Title 57. by *Dickerson. (HB542 by *Haynes, *Sanderson)

***Senate Bill No. 695** -- Wine & Wineries - As introduced, specifies that the alcoholic beverage commission may grant satellite facility permits to up to three wineries or farm wine producers per satellite facility location. - Amends TCA Section 57-3-207. by *Niceley. (HB760 by *Sanderson)

Senate Bill No. 817 -- Common Carriers - As introduced, sets maximum weight limits of axles and axle groups for permitted, nondivisible overweight loads on freight vehicles. - Amends TCA Title 55, Chapter 7. by *Tracy. (*HB686 by *Marsh)

MESSAGE FROM THE SENATE

April 14, 2015

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 575, 661, 674, 704, 820, 1285, 1387, 1388, 1390, 1392 and 1393; substituted for Senate Bills on same subjects and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 14, 2015

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 259, 260, 261, 262 and 263; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 14, 2015

MADAM SPEAKER: I am directed to return to the House, House Bill No. 810; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

ENROLLED BILLS

April 14, 2015

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 83, 219, 523, 783, 899, 1204, 1213 and 1239; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

ENROLLED BILLS

April 14, 2015

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 150, 249, 250, 252, 253, 254, 255, 256, 257, 258 and 315; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

SIGNED

April 14, 2015

The Speaker announced that she had signed the following: House Joint Resolutions Nos. 150, 249, 250, 252, 253, 254, 255, 256, 257, 258 and 315.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE

April 14, 2015

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 63; Senate Joint Resolution 63 was read three times on three separate days, and the Senate adopted Senate Joint Resolution 63 for the House's action by a majority vote of the membership of the Senate of the Hundred and Ninth General Assembly of the State of Tennessee pursuant to Article XI, Section 3 of the Constitution of Tennessee.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED
April 14, 2015

The Speaker announced that she had signed the following: Senate Joint Resolutions Nos. 35, 92, 267 and 294.

JOE MCCORD, Chief Clerk

RECESS

On motion of Rep. K. Brooks, the House stood in recess until 9:00 a.m., Wednesday, April 15, 2015.